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516 RCE 126678

PTO/SB/30 (08-00)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/004,803
Filing Date	01/09/98
First Named Inventor	EPPS
Group Art Unit	3634
Examiner Name	STRIMBU, G.
Attorney Docket Number	MCES - 0002

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted  
i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 4/12/01 + 4/25/01  
(Any unentered amendment(s) referred to above will be entered).  
ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii.  Other AFFIDAVITS FILED 4/12/01

b.  Enclosed  
i.  Amendment/Reply  
ii.  Affidavit(s)/Declaration(s)  
iii.  Information Disclosure Statement (IDS)  
iv.  Other \_\_\_\_\_

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**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

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**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_  
i.  RCE fee required under 37 C.F.R. § 1.17(e) 05/08/2001 LCHAU1 00000074 09004803  
ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:2/1  
iii.  Other 355.00 355.00 0P

b.  Check in the amount of \$ 355.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	JOHN R. MERKLING	Registration No. (Attorney/Agent)	31,716
Signature		Date	5/4/01

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: MAY 4 2001 EXPRESS MAIL EK739901631 US

Name (Print/Type)	JOHN R. MERKLING
Signature	

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